

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

**MARIA ALEJANDRA CELIMEN SAVINO
and JULIO CESAR MEDEIROS NEVES,**

Petitioners-Plaintiffs,

V.

THOMAS HODGSON, et al.,

Respondents-Defendants.

20-cv-10617 WGY

DEFENDANTS' NOTICE OF TRANSFER OUT OF BRISTOL

Respondents-Defendants hereby provide the Court and opposing counsel with notice that **Abelardo Gonzalez Victorio** (for removal to Mexico) will be transferred out of the Bristol County House of Corrections (BCHOC) to facilitate his removal from the United States during the week of August 3, 2020. He has been tested for COVID-19 using an FDA-approved RT-PCR test and received negative results.¹ With that transfer, the number of immigration detainees remaining at BCHOC will be 51.

Furthermore, Defendants inform this Court that **Oscar R. Hernandez-Andino** was not transferred from the district as stated in their Notice of Transfer dated July 22, 2020, because the

¹ FDA has approved a number of vendors' tests on an interim basis pursuant to what it calls an Emergency Use Authorization or "EUA." Upon information and belief, this is a fast-track review process that does not lead to a complete approval, but instead a temporary emergency approval in light of the pandemic. *See, e.g.*, <https://www.fda.gov/emergency-preparedness-and-response/mcm-legal-regulatory-and-policy-framework/emergency-use-authorization> (accessed 5/28/20). Defendants understand the Court's order to include EUA-approved tests as acceptable.

travel documents did not arrive in time for his removal. Thus, Mr. Hernandez-Andino remains at BCHOC. However, the government does intend on transferring him from BCHOC during the week of August 11, 2020 to effectuate his removal to Honduras.

Respectfully submitted,

ANDREW E. LELLING,
United States Attorney

By: /s/ Michael Sady
Michael Sady
Thomas E. Kanwit
Assistant U.S. Attorneys
U.S. Attorney's Office
John J. Moakley U.S. Courthouse
1 Courthouse Way, Suite 9200
Boston, MA 02210
(617) 748-3100
michael.sady@usdoj.gov

Dated: July 30, 2020

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF).

/s/ Michael Sady
Michael Sady
Assistant U.S. Attorney

Dated: July 30, 2020